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Department of State

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USPOLAD,

TOKYO.

A-697 April 22, 1952

Subject: Mr. Waring's conversation with Mr. Iguchi. Mission's despatch No. 1340, March 31. Passage regarding FCN treaty.

Regarding Mr. Iguchi's remark that the Japanese reluctance to undertake commitment regarding banking, insurance and investment was due to fear of the Chinese and Koreans, and his apparent suggestion that the Japanese opposition to the treaty provision in question would be withdrawn if some formula could be found which would make it plain that Japan's commitments to the United States did not imply that the standard of treatment applicable to Americans was necessarily applicable to others, leads the Department to invite attention to a formula worked out in the recent FCN treaty with Greece to meet an analogous situation involving one of Greece's neighbors, and to suggest that the Mission might wish to explore whether a similar formula might not satisfy the Japanese. The formula in question contained in Article XII, paragraph 1, of the Greek treaty, reads as follows:

"1. Nationals and companies of Greece shall be accorded within the territories of the United States of America, and reciprocally nationals and companies of the United States of America shall be accorded within the territories of Greece, national treatment and most-favored-nation treatment with respect to engaging in commercial, manufacturing, processing, financial, construction, publishing, scientific, philanthropic and professional activities,"

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The purpose of the wording of the Greek treaty was to make it clear that the commitments undertaken by Greece were strictly in consideration of equal commitments reciprocally undertaken by the United States; and that Greece/under no obligation to accord the specified rights to nationals of any other country except upon a like consideration likewise embodied in a reciprocal bilateral treaty concluded with the particular country.

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